

RECEIVED  
CENTRAL FAX CENTER  
JAN 13 2005

Docket No.: 408-001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Enrique Molina )  
Serial No.: 09/995,486 ) Art Unit 3635  
Filed: November 28, 2001 ) Examiner:  
For: BUILDING CONSTRUCTION SYSTEM ) Steven Varner

The Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

*Via Facsimile Transmission*  
*(703) 305-7687*  
*January 13, 2005*

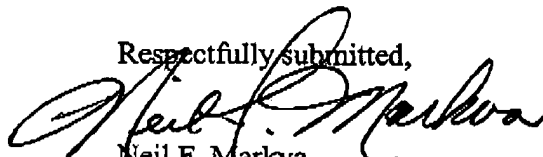
**SECOND AMENDMENT AFTER ADVISORY ACTION**

This is in response to a December 10, 2004 telephone call from the examiner who entered Applicant's November 12, 2004 amendment after his November 5, 2004 advisory action to allow claims 1 and 3-7. In the telephone conference, the examiner orally rejected claims 6 and 7 under 35 U.S.C. 112, second paragraph, stating that the claims were functional. In a subsequent telephone conference, he informed Applicant's attorney that prosecution of the claims was reopened. After several telephone conferences and a facsimile submission of proposed amendments to claim 6 that he orally rejected, Applicant desires to end prosecution and place the case in condition for allowance.

In view of the foregoing, please cancel claims 6 and 7 without prejudice or disclaimer of the subject matter contained therein. Only allowable claims 1 and 3-5 remain in the case.

With this amendment, the case is now in condition for allowance.

Respectfully submitted,

  
Neil F. Markva  
Attorney for Applicant